

## **REMARKS**

Claims 1-10 are pending in the application. In the Office action dated June 22, 2007, claims 1-3 and 5-7 were rejected; claims 4-8-10 were objected to. In response to the Office action, claims 1-4 and 7-10 are amended. New claims 11 and 12 are added. In view of the amendments above, and the remarks below, Applicant respectfully requests reconsideration of the application under 37 C.F.R. § 1.111 and allowance of the pending claims.

### ***Objections to the Specification***

The disclosure is objected to because of informalities. Specifically, the Examiner has suggested that the Applicant amend the disclosure by adding section headings where appropriate.

In response, Applicant has amended the specification to add section headings where appropriate. In view of the amendments to the disclosure, Applicant respectfully requests the withdrawal of the objection to the specification.

As it appears that Applicant's previous request for a Preliminary Amendment (dated April 17) was not considered, the Applicant is including the previously requested amendments to the Abstract in the present Response.

### ***Objections to the Claims***

Claims 1-10 are objected to due to the presence of non-idiomatic English. The Examiner requires correction.

As it appears that the Preliminary Amendment dated April 17, 2006, including amendments to the claims, was not considered, the Applicant has included the

previously requested amendments in the current Response. Applicant respectfully suggests that the amendments to the claims address the Examiner's concerns.

In view of the above amendments, Applicant respectfully requests the withdrawal of the objection to the claims.

***Rejections under 35 USC § 102***

Claims 1-3 and 5-7 are rejected under 35 U.S.C. § 102(e) as being anticipated by Vatsvag (U.S. Patent Publication no. 2004/0258483).

The Examiner asserts that Vatsvag "discloses a method of removing an offshore jacket structure comprising the steps of providing a ballastable vessel (a), bringing said vessel into the vicinity of the jacket structure, ballasting the vessel so as to rotate a main section of the vessel, securing the vessel to the jacket structure and deballasting the vessel to raise the vessel with the jacket, wherein the vessel has a main buoyancy section (7) and two auxiliary buoyancy sections (8)". Applicant respectfully disagrees.

The method of claim 1 permits the economical and straightforward removal of offshore jacket structures from their placement in bodies of water. The claimed method includes providing a ballastable vessel, where the vessel has a float-like main buoyancy section that is generally horizontal, and two auxiliary buoyancy sections above and on either side of the main buoyancy section when floating normally.

In the claimed method, the vessel is brought into the vicinity of the jacket structure, and the main section is at first rotated less than 90° from the horizontal, and then lowered so that the lower end rests on the seabed adjacent to the jacket structure. The main section is then rotated beyond 90° into contact with the jacket structure while its lower end is in contact with the seabed. At this point, the main section of the vessel is

approximately vertical and the auxiliary buoyancy sections are on opposite sides of the jacket structure. The vessel is secured to the jacket structure, and the vessel is de-ballasted so as to raise the vessel with the jacket structure to the water surface, while rotating the main section back to the generally horizontal position.

The progression of the claimed method is readily understood with reference to Figures 2-6.

In contrast, the Vatsvag reference discloses a barge-like vessel 2 which has substantial buoyancy. The vessel is provided with an arm 1 in the form of a tubular frame. The frame is slideably arranged along a skidding rail 11 on the deck of the vessel or barge 2 so that it may be displaced rearwardly, pivoted about a joint 10 at the aft end of the barge, and brought into contact with the offshore jacket structure to be removed.

At no time does the vessel, or the main flotation chamber of the vessel, become ballasted. At no time does the vessel deviate from being horizontal on the surface of the water. And at no time is the vessel of Vatsvag lowered until the lower end is resting on the sea floor.

In order to anticipate a claim, the cited reference must disclose each and every element of the claim, as set out in the claim. Applicant respectfully suggests that Vatsvag fails to anticipate the claimed method.

Furthermore, because Vatsvag uses a pivotable frame, rather than rotating and ballasting the entire vessel, as in the instant method, the method of Vatsvag is subject to significant drawbacks. Frame 1 of Vatsvag is at all times attached to the barge 1 which, due to its large waterline area, is subject to wave motion which is then transmitted to the frame. As a result, the process of coupling the frame to the jacket

structure becomes a difficult as well as critical operation. Additionally, the presence of any wind and/or current will make it very difficult to keep the barge of Vatsvag in the correct position while connecting the frame 1 to the jacket structure. Even after the jacket structure is connected to the frame, the frame must be pivoted to the horizontal position shown in Fig. 1, and the frame with the jacket must be pulled onto the barge 2 as shown in Figures 3 and 4. It should be apparent that the device according to Vatsvag is not only more complicated to operate, but also has a much larger buoyancy, and steel weight (with its accompanying cost) than is necessary to carry the jacket structure.

In contrast, the method of claim 1 utilizes a single vessel, which when in position to be connected to the jacket structure presents a small waterline area and is therefore not likely to be subjected to disturbances from waves and swell. Furthermore, the buoyancy of the vessel need not be much larger than what is necessary to carry the jacket structure, thus keeping its steel weight and construction cost to a minimum.

With respect to the vessel of claims 5-10, the claimed vessel has a ballastable main buoyancy section and two auxiliary buoyancy sections protruding in the same direction on either side of the main section, such that the main buoyancy section is generally planar and has (in plan view) substantially the outline of an isosceles triangle with an extension at the apex, where the extension forms the fore part of the vessel, and the base of the triangle forms the aft part of the vessel, with the auxiliary sections located at the ends of the base of the triangle.

The main buoyancy section of the frame 1 of Vatsvag is generally rectangular and consists of tubular parts, and in no way defines an isosceles triangle. Applicant suggests that the planar form of the claimed vessel provides for better support of a

jacket structure during the transportation phase than the tubular ribs 6 and 7 of Vatsvag. Furthermore, the design of the claimed vessel represents a simplification of construction (see page 3, lines 10-27 of the specification).

In view of the above remarks, Applicant respectfully suggests that the Vatsvag reference fails to anticipate the rejected claims, and requests the withdrawal of the rejection of claims 1-3 and 5-7 under 35 U.S.C. § 102.

Applicant believes that in view of the above amendments and remarks, the application is in condition for allowance. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned agent of record.

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I hereby certify that this correspondence is being filed electronically via the EFS-Web system at [www.uspto.gov](http://www.uspto.gov) on October 22, 2007.

*Allison M. Deverman Vietor*  
Allison M. Deverman Vietor

Respectfully submitted,

KOLISCH HARTWELL, P.C.

*Anton E. Skaugset*  
Anton E. Skaugset  
Registration No. 38,617  
Customer No. 23581  
Agent for Applicant  
520 S.W. Yamhill Street, Suite 200  
Portland, Oregon 97204  
Telephone: (503) 224-6655  
Facsimile: (503) 295-6679